

In the High Court for the States of Punjab and Haryana, at Chandigarh.

C.R.No.1980 of 2007 (O&M)
Decided on April 17,2007.

Smt. Swinder Kaur and another -- Petitioners

vs.

Lal Chand and others -- Respondents.

Present: Mr.P.B.S.Goraya, Advocate, for the petitioners

Pritam Pal,J: (Oral)

This Civil Revision by petitioners/plaintiffs, filed under Article 227 of the Constitution of India, is directed against order dated March 07,2007,whereby an application for sending Commission to examine one Rattan Kaur, has been dismissed.

Suffice it to say that an application for sending Commission was moved, when the petitioners were granted last opportunity for adducing their entire evidence. Moreover, the medical record placed on the file does not show, if the witness to be examined on commission, is unable to move. However, a certificate of the doctor from Tarn Taran, is placed on the file, wherein rest has been advised to Rattan Kaur, stated to be a witness in this case. Counsel for the petitioners is also unable to say as to where the said witness is residing.

Taking an over-all view of the facts and circumstances, no interference is called for in the impugned order.

Hence, this Civil Revision stands dismissed in *limine*.

However, the trial Court shall give one opportunity to the petitioners/plaintiffs to examine said Rattan Kaur, as a witness if she is brought in Court for her examination.

April 17,2007
RR

(Pritam Pal)
Judge